



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,227	08/31/2006	Haseeb Akhtar	NRT.0132US	6645
21906 7590 11/10/2010 TROP, PRUNER & HU, P.C. 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631				
EXAMINER CHUGHTAI, SARWAT				
ART UNIT 2617		PAPER NUMBER		
MAIL DATE 11/10/2010		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/591,227

**Applicant(s)**

AKHTAR, HASEEB

**Examiner**

Sarwat Chughtai

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/CD)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

***Response to Arguments***

Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

***Information Disclosure Statement***

The information disclosure statement filed on 08/23/2010 has been considered and placed in the file of record.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Welch (US 7,277,423 B1) in the view of Farhoudi et al. (US 2009/0303909 A1 hereinafter Farhoudi).

Regarding claim 1, Welch discloses, A method of communicating in a wireless network (**See Abstract, Column 1, Lines 9-11, Column 4, Lines 45-52 and Figure 1;**

**whereas Welch discloses, a method and system, where the communication system is arranged to provide packet-based real time media conferencing),**  
comprising:

a packet-switched real-time, interactive communications application, resources of at least one node of the wireless network (**See Abstract and Column 1, Lines 9-11; whereas Welch discloses a packet-based real time media session such as push-to-talk);**

receiving, from the particular mobile station or a member of the particular group of mobile stations, a first call setup request after pre-allocating the resources request (**See Column 10, Lines 45-54 and Figure 6; whereas Welch disclose, a station receives a users request to initiate a packet-based real-time media session);** and  
establishing, in response to the first call setup request, a packet-switched real-time, interactive communications session through the wireless network using the the data connection of the at least one node (**Column 10, Lines 44-60 and Figure 6; whereas Welch discloses, the station determines that real-time media session has been established, successfully acquiring data connection by determining that it has received incoming packets data from the network).**

Welch explicitly fails to discloses, the pre-allocated resources comprising resources normally allocated in response to a call setup request, wherein the pre-allocated resources include resources relating to a link with a predetermined quality of service, wherein the pre-allocating is performed by a system having a processor, and the pre-allocating includes storing a pointer associated with a particular mobile station

or a particular group of mobile stations, where the pointer indicates that the pre-allocated resources are useable by the particular mobile station or particular group of mobile stations for call setup.

However Farhoudi discloses, the pre-allocated resources comprising resources normally allocated in response to a call setup request, wherein the pre-allocated resources include resources relating to a link with a predetermined quality of service **(See Paragraphs [20-26, 83-84] and claim 10; whereas Farhoudi discloses, when several mobile units listen t the same channel, it could have an effect on Link Quality Control, in such case the mobile unit in the set is identified and the measurement report is used in the LQC for all mobile units)**, wherein the pre-allocating is performed by a system having a processor **(See Paragraphs [56-58, 62-65 and 69]; whereas Farhoudi discloses, the communication server includes a data processor that enters the identifiers and information received from the mobile units. The processor updates the database once new information is received from a mobile unit. The processor then generates the session ID for different communications sessions managed by the server. The communication server further includes a PoC application server that typically handles call-set up signaling for PoC calls)**, and the pre-allocating includes storing a pointer associated with a particular mobile station or a particular group of mobile stations **(See Paragraphs [55-61]; whereas Farhoudi discloses, pointers)**, where the pointer indicates that the pre-allocated resources are useable by the particular mobile station or particular group of mobile stations for call setup **(See Paragraphs [55-61]; whereas Farhoudi**

**discloses, the mobile unit session and cell identifiers are stored in the database in such way, that it is possible to later find and retrieve the two identifiers, such as the session and cell identifier).**

Therefore it would have been obvious to one of the ordinary skills in the art at the time the invention was made to modify Welch with the teachings of Farhoudi, to provide a data transmission using same dedicated channels specific for he cell, were the user units are present, in order to avoid delays in data transfer and in loss of data burst **(See paragraphs [4-6, 14]).**

Regarding claim 13, Welch discloses, a system comprising: an interface to a communications network **(See Abstract, Column 1, Lines 9-11, Column 4, Lines 45-52 and Figure 1; whereas Welch discloses, a method and system, where the communication system is arranged to provide packet-based real time media conferencing); and**

a controller having a processor and coupled to the interface to **(See Column 6, Lines 25-39 and Figure 3; whereas Welch discloses, BSC);**

receive a request in the system to a packet-switched real-time, interactive application **(See Column 10, Lines 45-54 and Figure 6; whereas Welch disclose, a station receives a users request to initiate a packet-based real-time media session);**

in response to the request, began acquiring data connection for call setup in the system **(Column 10, Lines 44-60 and Figure 6), wherein the call setup enable the**

data connection establishment of an Internet Protocol (IP) route (**Column 7, Lines 4-17 and column 10, Lines 8-13; whereas Welch discloses, mobile-IP address for communicating with other entities);**

receive a call setup request (**See Column 10, Lines 45-54 and Figure 6**); and  
in response to the call setup request, set up a packet-switched real-time, interactive communications session using the data connection (**Column 10, Lines 44-67 and Figure 6; whereas Welch discloses, the station determines that real-time media session has been established**).

Welch explicitly fails to discloses, pre-allocating call setup resources and having a particular quality of service.

However Farhoudi discloses, pre-allocating call setup resources (**See Paragraphs [56-58 and 69]; whereas Farhoudi discloses, communication server also comprises the database, which includes an identifier or address information (MS ID) of the mobile units or stations (MS). This information element could be any form of identifier and an examples of suitable identifiers could be Mobile Subscriber Integrated Services Digital Network (MSISDN), International Mobile Subscriber Identity (IMSI), Temporary Logical Link Identity (TLLI), Internet protocol (IP) address or email address**) and having a particular quality of service (**See Paragraphs [20-26, 83-84] and claim 10; whereas Farhoudi discloses, when several mobile units listen t the same channel, it could have an effect on Link Quality Control, in such case the mobile unit in the set is identified and the measurement report is used in the LQC for all mobile units**).

Therefore it would have been obvious to one of the ordinary skills in the art at the time the invention was made to modify Welch with the teachings of Farhoudi, to avoid delays in data transfer cause by lack f resources and loss of data and to further provide improved data transmission of user data to multiple user units (**See Paragraphs [4-7, 14]**).

Regarding claim 19, Welch discloses, An article comprising at least one storage medium containing instructions (**See Column 9, Lines 50-67 –Column 10, Lines 1-20 and Figure 5; whereas Welch discloses, data storage in the server hold machine language instructions**) that when executed cause a system to:

receive a request for a packet-switched real-time, interactive application (**See Column 10, Lines 45-54 and Figure 6; whereas Welch disclose, a station receives a users request to initiate a packet-based real-time media session**),

subsequent to acquire data connection, process a call setup request from the particular mobile station or member of the particular group of mobile stations using data connection of the at least one node (**Column 10, Lines 44-67 and Figure 6; whereas Welch discloses, the station determines that real-time media session has been established, successfully acquiring data connection by determining that it has received incoming packets data from the network**).

Welch explicitly fails to discloses, the pre-allocated resources comprising resources normally allocated in response to a call setup request, wherein the pre-allocated resources include resources relating to a link with a predetermined quality of



service, wherein the pre-allocating is performed by a system having a processor, and the pre-allocating includes storing a pointer associated with a particular mobile station or a particular group of mobile stations, where the pointer indicates that the pre-allocated resources are useable by the particular mobile station or particular group of mobile stations for call setup.

However Farhoudi discloses, the pre-allocated resources comprising resources normally allocated in response to a call setup request, wherein the pre-allocated resources include resources relating to a link with a predetermined quality of service service (See Paragraphs [20-26, 83-84] and claim 10; whereas Farhoudi discloses, when several mobile units listen t the same channel, it could have an effect on **Link Quality Control**, in such case the mobile unit in the set is identified and the measurement report is used in the LQC for all mobile units), wherein the pre-allocating is performed by a system having a processor (See Paragraphs [56-58, 62-65 and 69]; whereas Farhoudi discloses, the communication server includes a data processor that enters the identifiers and information received from the mobile units. The processor updates the database once a new information is received from a mobile unit. The processor then generates the session ID for different communications sessions managed by the server. The communication server further includes a PoC application server that typically handles call-set up signaling for PoC calls), and the pre-allocating includes storing a pointer associated with a particular mobile station or a particular group of mobile stations (See Paragraphs [55-61]; whereas Farhoudi discloses, pointers), where the pointer indicates that the

pre-allocated resources are useable by the particular mobile station or particular group of mobile stations for call setup **(See Paragraphs [55-61]; whereas Farhoudi discloses, the mobile unit session and cell identifiers are stored in the database in such way, that it is possible to later find and retrieve the two identifiers, such as the session and cell identifier).**

Therefore it would have been obvious to one of the ordinary skills in the art at the time the invention was made to modify Welch with the teachings of Farhoudi, to provide a data transmission using same dedicated channels specific for he cell, were the user units are present, in order to avoid delays in data transfer and in loss of data burst **(See paragraphs [4-6, 14]).**

Regarding claim 2, the combination teaches everything claimed as implemented above (see claim 1). In addition Welch discloses, comprises one of a base transceiver system and base station controller **(See Column 6, Lines 25-39 and Figure 3).**

Regarding claim 3, the combination teaches everything claimed as implemented above (see claim 1), in addition Welch discloses, a packet data serving node **(See Column 6, Lines 25-39 and Figure 3).**

Regarding claim 4, the combination teaches everything claimed as implemented above (see claim 1), In addition Welch discloses, at least one of a press-to-talk server, voice-over-Internet Protocol server, and a call session control function module **(See**

**Column 6, Lines 7-24 and Figure 3; whereas Welch discloses, instant connect service such as PTT).**

Regarding claim 5, the combination teaches everything claimed as implemented above (see claim 1), In addition Welch discloses, comprises the link between the at least one node and a second node in the wireless network to carry call control packets for the packet-switched real-time, interactive communications application, wherein the link comprises a dedicated channel **(See Column 6, Lines 63-67- Column 7, Lines 17; whereas Welch discloses, common air interface channel or supplemental channels).**

Regarding claim 6, the combination teaches everything claimed as implemented above (see claim 1), In addition Welch discloses, wherein the dedicated channel between the at least one node and the second node in the wireless network to carry packets for the packet-switched real-time, interactive communications application comprises one of a T1/E1 trunk, Ethernet link, and IP route **(Column 7, Lines 4-17 and column 10, Lines 8-13; whereas Welch discloses, mobile-IP address for communicating with other entities).**

Regarding claims 7-9, the combination teaches everything claimed as implemented above (see claim 1), In addition Farhoudi discloses wherein pre-allocating the resources comprises pre-allocating binding information of a mobile station, the

binding information to establish a relationship between a radio domain and a packet domain (**See Paragraphs [56-58, 62-65 and 69]**),, the method further comprising:

storing the binding information in a base station controller (**See Paragraphs [56-58, 62-65 and 69 ]**; whereas Farhoudi discloses, the communication server includes a data processor that enters the identifiers and information received from the mobile units. The communication server further includes a PoC application server that typically handles call-set up signaling for PoC calls); and

using the binding information stored in the base station controller for establishing the call setup request (**See Paragraphs [56-58, 62-65 and 69 ]**; whereas Farhoudi discloses, the processor updates the database once a new information is received from a mobile unit. The processor then generates the session ID for different communications sessions managed by the server. On the other hand the communications server provides, mobile unit set or identifying unit and the MS set identifier is adapted to identify the database, where the set identifier implement identifying a set of mobile units based on the cell ID and, preferably, on the session ID associated with the mobile units. Once the set identifier finds such a set of receiving mobile units, the mobile units of the set is informed of a dedicated channel they all should lock and listen to. The communications data received by the I/O unit and originating from the sending mobile unit is then transmitted to the identified mobile units forming the set using this notified same (common) channel).

Requesting claim 10, the combination teaches everything claimed as implemented above (see claim 1), In addition Farhoudi discloses further comprising: in response to an event, a management system sending a request to pre-allocate resources to the at least one node, wherein pre-allocating the resources is performed **(See Paragraphs [77-79] and Figure 4; whereas Farhoudi discloses the sending mobile station transmits the (IP) data packets comprising the PoC voice data to PoC server via its associated BS).**

Regarding claims 11 and 12, the combination teaches everything claimed as implemented above (see claim 1), in addition Farhoudi discloses sending the request to pre-allocate is performed during a provisioning process **(See paragraphs [76-79]; whereas Farhoudi discloses sending mobile station transmits the (IP) data packets to the PoC server via BS).**

Regarding claim 14, the combination teaches everything claimed as implemented above (see claim 13), In addition Farhoudi discloses wherein the pre-allocated call setup resources further include at least one of hardware, software, and communications elements of the system **(See Paragraphs [56-58 and 69]; whereas Farhoudi discloses, communication server also comprises the database, Which includes an identifier or address information (MS ID) of the mobile units or stations (MS). This information element could be any form of identifier and an examples of suitable identifiers could be Mobile Subscriber Integrated Services**

**Digital Network (MSISDN), International Mobile Subscriber Identity (IMSI), Temporary Logical Link Identity (TLLI), Internet protocol (IP) address or email address), wherein the pre-allocated call setup resources enable avoidance of allocating the pre-allocated call setup resources during a call setup procedure (See Paragraphs [55-61]; whereas Farhoudi discloses, pointers and the mobile unit session and cell identifiers are stored in the database in such way, that it is possible to later find and retrieve the two identifiers, by the session and cell identifier).**

Regarding claims 15 and 20, the combination teaches everything claimed as implemented above (see claim 13 and 19). In addition Farhoudi discloses, the pre-allocated call setup resources further include at least one of user-related information, binding information, and mobility information, the system further comprising a storage to store the at least one of user-related information, binding information, and mobility information (See Paragraphs [56-58 and 69]; whereas Farhoudi discloses, the communication server comprises an (I/O) unit adapted for receiving the identifier or address information and cell identifier of the mobile units participating in group based communication sessions).

Regarding claim 16, the combination teaches everything claimed as implemented above (see claim 1), in addition Welch discloses, comprises a dedicated channel between the system and another node in a wireless network (See Column 6, Lines 63-

**67- Column 7, Lines 17; whereas Welch discloses, common air interface channel or supplemental channels).**

Regarding claim 17, the combination teaches everything claimed as implemented above (see claim 13), In addition Welch discloses, comprising one of a base transceiver system, base station controller, and packet data serving node of a wireless network **(See Column 6, Lines 25-39 and Figure 3).**

Regarding claim 18, the combination teaches everything claimed as implemented above (see claim 13), In addition Welch discloses, wherein the packet-switched real-time, interactive application comprises at least one of a press-to-talk application, voice-over- Internet Protocol application, text chat application, and instant messaging application **(See Column 6, Lines 7-24 and Figure 3; whereas Welch discloses, instant connect service such as PTT).**

Regarding claim 21, the combination teaches everything claimed as implemented above (see claim 19), In addition Welch discloses, wherein the link includes an Internet Protocol (IP) route **(Column 7, Lines 4-17 and column 10, Lines 8-13; whereas Welch discloses, mobile-IP address for communicating with other entities).**

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarwat Chughtai whose telephone number is (571)270-7272. The examiner can normally be reached on Monday-Thursday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sarwat Chughtai/  
Examiner, Art Unit 2617

/NICK CORSARO/  
Supervisory Patent Examiner, Art Unit 2617